

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

December 30, 2013

TO: Rosemary Booth Gallogly

DEPT: Department of Revenue

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS 12-18-13

Please be advised of the following matters which were heard before the Board on Wednesday, December 18, 2013. Board members: Walter Craddock, Esq., James Botvin, and William Jeffery. Also present, Marcy Coleman, Esq., Division of Legal Services.

Absent: Marc Levasser

Lt. David Doucet of the Rhode Island State Police has recused himself from the decision process of the dealer hearing board while on special assignment the Department of Motor Vehicles Enforcement Division until further notice.

**MEETING OF DECEMBER 18TH 2013 AT 12:30 PM AT THE
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF: DECEMBER
4TH 2013 BOARD HEARING**

**The Board has reviewed and approved the minutes of December 4,
2013.**

**2. PILGRIM MOTORS, INC (Mark De Pasquale, Pres.)
FIRST APPLICATION- CASE # KR- 130360
TO DEAL IN USED MOTOR VEHICLES ONLY
AT 3760 QUAKER LANE, NORTH KINGSTOWN, RI 02852**

**Decision: The Board has approved this application subject to
finalizing within 30 days with the RI Dealers License and Regulations
Office. Three dealers plates have been granted.**

**3. REQUEST AND DISCUSSION ON POSSIBLE DEALERSHIP
VETERANS WORKSHOP NON-PROFIT CAR DONATION PROGRAM
IF PARKING AND OFFICES ARE REQUIRED, PILGRIM MOTORS /
JOHN MATTERA, PRES. – 3760 QUAKER LANE, NORTH**

**KINGSTOWN, RI 02852 WILL SUPPLY THEM TO THE VETERANS
WORKSHOP Case: 130342**

**Decision: The Board has tabled this case to allow time for further
investigation.**

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Hearing Board Minutes

12-18-13

**4. RONALD DUTRA VS. FIRST CHOICE AUTO SALES (Raul De la
Cruz, Owner)**

CASE # AM-130267

COMPLAINT / SHOW CAUSE HEARING

**This case has been postponed at the request of Peter P. D'Amico,
Esq. legal representative for the dealership.**

**5. DEALERS' LICENSE & REGULATIONS OFFICE VS C & L AUTO
SALES, INC**

(Clara Akalarian, Pres. / Keven A. Mckenna, Esq.)

SHOW CAUSE HEARING CASE # 130278

Decision: The Board has determined that the dealership is in violation of RI General Law §31-5-11 (10), having indulged in unconscionable business practices relating to doing business as a motor vehicle dealership and failing to maintain required records for the years 2011 and 2012. The Board has suspended the dealer license, 467, to do business from January 2, 2014 until January 15, 2014 and fined the dealership \$1500.00per year for a total of \$3000.00 and has ordered the dealership to create a new business plan under the supervision of their attorney and submit it to the RI Dealers License and Regulations Office by January 15, 2014.

The dealership will be required to submit records to the Dealers License and Regulations Office the first of each month beginning January 1, 2014 for review and quarterly to the Dealers License and Regulations Board until otherwise directed by the Board.

The Board has also reduced the number of dealer plates, from the current amount of 14 to 5 based on sales figures submitted to the Dealers License and Regulations Office by the dealership. The dealership will be allowed to keep plates 287 A thru E and they must return 287 F thru N. If replacement plates have been issued they must be turned in. If any plates are missing a police report must be submitted.

The Board has also will require the 2014 license renewal be conditional on the above requirements being met.

6. FOR BOARD DISCUSSION ONLY

ALLOCATION OF PLATES ON RENEWAL TIME

Walter Craddock, Esq., Chairman

Cc: Marcy Coleman, Esq. Department of Revenue Legal Services